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TERMINAL DISCLAIMER TO OBVIAE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
AUS920030481US1

In re Application of: Dewitt, Jr. et al.

Application No.: 10/675,776

Filed: September 30, 2003

For: Method and Apparatus for Counting Execution of Specific Instructions and Accesses to Specific Data Locations

The owner*, International Business Machines Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/682,385, filed on October 9, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 48,844

/Brandon G. Williams/

Signature

September 14, 2010

Date

Brandon G. Williams_____
Typed or printed name_____
972-385-8777_____
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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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